

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:06-CR-00364-RJC

USA

v.

MARTINEZ ORLANDIS BLACK

---

)  
)  
)  
)  
)  
)

ORDER

**THIS MATTER** is before the Court on the defendant's Motion to Compel Discovery. (Doc. No. 54).

The defendant asks the Court to compel his former lawyer, Peter Adolf, "to produce my 'discovery' and 'any & all' relevant documents in his possession." (Doc. No. 54: Motion at 1). "Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as . . . surrendering papers and property to which the client is entitled." N.C. R. Prof. Cond. 1.16(d); see also United States v. Basham, 789 F.3d 358, 388 (4th Cir. 2015) (reviewing legal authority requiring counsel to deliver client's file upon termination of representation). However, under this District's Standard Discovery Order, a defendant is not entitled to retain documents produced by the government after disposition of the case. (Doc. No. 8: Order at ¶ 22).

The defendant also requests copies of grand jury transcripts. (Doc. No. 54: Motion at 1). However, he has not made any showing that the Court is authorized to disclose grand jury material to him pursuant to Federal Rule of Criminal Procedure 6(e)(3)(E)(i) and (ii). See United States v. Sells Engineering, Inc., 463

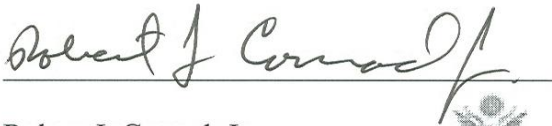
U.S. 418, 443 (1983) (requesting party required to make “strong showing of particularized need” before disclosure of grand jury materials is permitted).

**IT IS, THEREFORE, ORDERED** that former counsel, Peter Adolf, shall file a response to the Motion to Compel within thirty (30) days of the entry of this Order stating whether he retains papers and property to which the defendant is entitled.

**IT IS FURTHER ORDERED** that the defendant’s request for grand jury transcripts is **DENIED**.

The Clerk is directed to certify copies of this order to Mr. Adolf, the defendant, and the United States Attorney.

Signed: August 30, 2023

  
Robert J. Conrad, Jr.  
United States District Judge

